

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GERALD F. RICHARDS,  
Plaintiff

V.

**SOUTHBIDGE POWER &  
THERMAL, LLC,  
Defendant**

CIVIL ACTION NO. 04-CV-40054-FDS

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**JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)**

The plaintiff, Gerald F. Richards, and the defendant, Southbridge Power & Thermal, LLC, by and through counsel, state that they have conferred in this matter and hereby submit their Joint Statement Pursuant to Local Rule 16.1(D).

### A. Proposed Pre-Trial Schedule

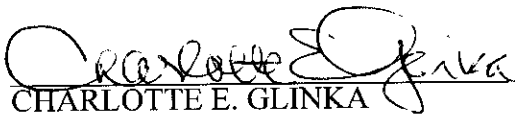
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|---|------------------|
| 1. Amendments to pleadings to add parties by:               | March 30, 2005   |
| 2. Completion of written discovery and fact depositions by: | June 16, 2005    |
| 3. Plaintiff's designation of expert witnesses by:          | August 15, 2005  |
| 4. Defendant's designation of expert witnesses by:          | October 14, 2005 |
| 5. Expert depositions by:                                   | January 16, 2006 |
| 6. Dispositive Motions by:                                  | March 17, 2006   |
| 7. Final Pre-Trial Conference by:                           | May 15, 2006     |

- B. The parties have not yet determined whether they will consent to trial by magistrate judge.
- C. The plaintiff has presented a written settlement proposal to the defendant.
- D. The parties' certifications pursuant to Local Rule 16.1(D)(3) will be submitted.

Respectfully submitted,

The plaintiff,  
By his Attorneys,

KECHES & MALLEN, P.C.



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The defendant,  
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DATED: October 6, 2004  
Certif-16.1D3